

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:15-cv-455-RJC**

**In re:** )  
 )  
**MIDSTATE MILLS, INC.,** )  
 )  
 )  
**Debtor.** )  
\_\_\_\_\_)  
 )  
**STEVEN D. ARNDT, ROBERT D.** )  
**DRUM, CYNTHIA D. GABRIEL,** )  
**DIANNE D. FULBRIGHT, THE** )  
**ESTATE OF BOYD H. DRUM, THE** )  
**ESTATE OF BREVARD ARNDT,** )  
**and ALEX ARNDT,** )  
 )  
**Appellants,** )  
 )  
**vs.** )  
 )  
**AGROWSTAR, LLC, J&D OF** )  
**LANCASTER, INC., PERFORMANCE** )  
**AG, LLC, and A. COTTON WRIGHT,** )  
**Chapter 7 Trustee,** )  
 )  
**Appellees.** )  
\_\_\_\_\_)


**ORDER**

**THIS MATTER** comes before the Court on Appellants Steven D. Arndt, Robert D. Drum, Cynthia D. Gabriel, Dianne D. Fulbright, the Estate of Boyd H. Drum, the Estate of Brevard Arndt, and Alex Arndt's, (collectively, "Appellants"), and Appellees Agrowstar, LLC, J&D of Lancaster, Inc., and Performance Ag, LLC's Agreed Motion to Dismiss Appeal. (Doc. No. 2). After careful consideration, for good cause shown, and with the consent of all parties, the Court finds that the Motion should be granted.

**IT IS, THEREFORE, ORDERED** that the Agreed Motion to Dismiss Appeal, (Doc.

No. 2), is **GRANTED**. This matter is **DISMISSED**, and all applicable costs and fees will be taxed against the party that incurred them. The Clerk of Court is hereby directed to close this case.

Signed: November 9, 2015

  
Robert J. Conrad, Jr.  
United States District Judge

